

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EDWARD MCNATT,

Petitioner,

v.

COMMONWEALTH OF PENN, et al.,

Respondents.

Civil Action No. 06-57 Erie

MEMORANDUM ORDER

This motion to proceed in forma pauperis was received by the Clerk of Court on March 6, 2006, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 2], filed on March 8, 2006, recommended that Petitioner's motion be dismissed without prejudice. Petitioner was allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail. Petitioner filed objections on March 16, 2006 [Doc. No. 3]. After de novo review of the motion and documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 13th day of April, 2006;

IT IS HEREBY ORDERED that the Petitioner's Motion to Proceed In Forma Pauperis [Doc. No. 1] is DISMISSED without prejudice.

The Report and Recommendation [Doc. No. 2] of Magistrate Judge Baxter, filed on March 8, 2006, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge